

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

UNITED STATES OF AMERICA,

Case No. 8:03-CR-77-T-30TBM

v.

SAMI AMIN AL-ARIAN, et al.,

Defendants.

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DECLARATION OF WILLIAM B. MOFFITT

COMES NOW William B. Moffitt, lead counsel for Dr. Sami Al-Arian and files the following declaration pursuant to 28 U.S.C. 1746:

1. I am currently counsel for Dr. Sami Al-Arian.
2. I am formerly the President of the National Association of Criminal Defense Lawyers.
3. I have been engaged in the practice of primarily criminal defense law since 1975.
4. I hold bar memberships in the following jurisdictions: Virginia and the District of Columbia; and U.S. District Court, Eastern District of Virginia; 1976, U.S. Court of Appeals, 4th Circuit; 1980, U.S. Court of Appeals, 5th Circuit; 1981, U.S. Court of Appeals, 11th Circuit; 1982, U.S. Court of Appeals, 6th Circuit; 1988, U.S. Court of Appeals, First Circuit; 1991, U.S. Court of Appeals, Third Circuit; U.S. District Court, Maryland, 1994.

5. I have been a Fellow of the American Board of Criminal Lawyers since 1990.
6. I have tried well over 100 felony trials in the course of my career.
7. For many years my primary practice has been in Federal Court.
8. I have tried several high profile matters.
9. I have tried several matters, which involve tens of thousands of pages of discovery, exhibits, and subpoenaed materials.
10. I have never tried a case involving 10 years of FISA wiretaps; although I have tried cases involving FISA wiretaps.
11. I, along with co-counsel, have made a diligent effort to comply with the Court's January 5, 2005 trial date.
12. It is clear to me as a result of my experience that Ms. Moreno and I will not be prepared to go forward and provide Dr. Al-Arian with effective assistance of counsel if the trial were to proceed on January 5, 2005.
13. Neither Ms. Moreno nor I were involved in setting the trial date.
14. This is the first request for a continuance in this matter.
15. Each of us believe, in good faith, that we will be adequately prepared with a continuance of six months.
16. We have filed a Motion for Continuance, on this date, which sets forth many of the issues that have caused us to reach this conclusion.
17. I ask that this Declaration be considered with the Motion for Continuance.
18. While it is my desire to proceed as expeditiously as possible, my primary concern is my current ability to afford Dr. Al-Arian a trial consistent with his Fifth and Sixth Amendment Rights.

I declare under penalty of perjury that the foregoing is true and correct.

Executed at Washington, D.C. this 21st day of October 2004.

/s/ William B. Moffitt
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